

**10/578614**

DOCKET NO.: 290578US0XPCT

**AP20Rec'dPCTPTO 08 MAY 2006**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Nobuhiro ISHIDA, et al.

SERIAL NO.: NEW U.S. PCT APPLICATION

FILED: HEREWITH

INTERNATIONAL APPLICATION NO.: PCT/JP04/16799

INTERNATIONAL FILING DATE: November 5, 2004

FOR: PROMOTER IN THE PRESENCE OF ORGANIC ACID AND UTILIZATION THEREOF

**REQUEST FOR CONSIDERATION OF DOCUMENTS  
CITED IN INTERNATIONAL SEARCH REPORT**

Commissioner for Patents

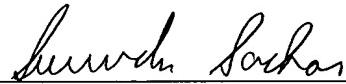
Alexandria, Virginia 22313

Sir:

In the matter of the above-identified application for patent, notice is hereby given that applicant(s) request that the Examiner consider the documents cited in the International Search Report according to MPEP §609 and so indicate by a statement in the first Office Action that the information has been considered. When the Form PCT/DO/EO/903 indicates both the search report and copies of the documents are present in the national stage file, there is no requirement for the applicant(s) to submit them (1156 O.G. 91 November 23, 1993).

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



\_\_\_\_\_  
Norman F. Oblon  
Attorney of Record  
Registration No. 24,618  
Surinder Sachar  
Registration No. 34,423

Customer Number

**22850**

(703) 413-3000  
Fax No. (703) 413-2220  
(OSMMN 08/03)

**INTERNATIONAL SEARCH REPORT**

International application No.

PCT/JP2004/016799

**A. CLASSIFICATION OF SUBJECT MATTER**

Int.Cl' C12N15/00, C12N1/15, C12N1/19, C12N1/21, C12N5/00, C12P7/40,  
C12P7/56

According to International Patent Classification (IPC) or to both national classification and IPC

**B. FIELDS SEARCHED**

Minimum documentation searched (classification system followed by classification symbols)

Int.Cl' C12N15/00, C12N1/15, C12N1/19, C12N1/21, C12N5/00, C12P7/40,  
C12P7/56

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)  
Genbank/EMBL/DDBJ/GeneSeq, CAPLUS/MEDLINE/BIOSIS/WPIDS (STN)

**C. DOCUMENTS CONSIDERED TO BE RELEVANT**

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 2001/038549 A1 (Astrazeneca AB), 31 May, 2001 (31.05.01), Fig. 14, Seq.ID.No.2, example 3, (Database Genbank/EMBL/DDBJ Accession No.AAD07503, AAD07493), & EP 1235917 A1 & JP 2003-514566 A & US 2004/142478 A1	1-3, 13, 17, <u>22, 30, 31</u> 4-12, 14-16, 18-21, 23-29
Y	WO 1984/04538 A1 (Unilever NV), 22 November, 1984 (22.11.84), Figs. 2, 16, 17; page 38, line 33 to page 40, line 34 (Database Genbank/EMBL/DDBJ Accession No.AAN40212) & DK 24785 A & EP 129268 A2 & JP 60-501290 A	1-3, 13, 17, <u>22, 30, 31</u> 4-12, 14-16, 18-21, 23-29

Further documents are listed in the continuation of Box C.

See patent family annex.

\* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier application or patent but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&" document member of the same patent family

Date of the actual completion of the international search  
27 January, 2005 (27.01.05)

Date of mailing of the international search report  
15 February, 2005 (15.02.05)

Name and mailing address of the ISA/  
Japanese Patent Office

Authorized officer

Facsimile No.

Telephone No.

## INTERNATIONAL SEARCH REPORT

International application No.

PCT/JP2004/016799

## C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 2002/000880 A1 (Gothia Yeast Solutions AB), 03 January, 2002 (03.01.02), Example 1; Seq.ID.No.5; Claims (Database Genbank/EMBL/DDBJ Accession No.ABA94597)	1-3,13,17, 22,30,31
Y	& SE 2001002342 A & CA 2414137 A & EP 1297144 A1 & JP 2004-501643 A & ZA 2002010036 A & US 2004/058429 A1	4-12,14-16, 18-21,23-29
X	Hauf, J. et al., "Simultaneous genomic overexpression of seven glycolytic enzymes in the yeast <i>Saccharomyces cerevisiae</i> ", Enzyme and Microbial Technology, (2000), Vol.26, Nos. 9 to 10, pages 688 to 698	1-3,13,17, 22,30,31
Y		4-12,14-16, 18-21,23-29
X	Riou, C. et al., "Stationary-phase gene expression in <i>Saccharomyces cerevisiae</i> during wine fermentation", Yeast, (1997), Vol.13, No.10, pages 903 to 915	1-3,13,17, 22,30,31
Y		4-12,14-16, 18-21,23-29
X	WO 2002/064766 A2 (Janssen Pharmaceutica NV), 22 August, 2002 (22.08.02), Claim 36; Seq.ID.No.79, page 65, tables; Seq.ID.No.119, page 66, tables (Database Genbank/EMBL/DDBJ/Accession No. ABQ76327, ABQ76347) & CA 2432364 A & EP 1346044 A2 & US 2004/161840 A1	1-3,30,31 4-29
Y	Wu, K. et al., "Expression and subcellular localization of a membrane protein related to Hsp30p in <i>Saccharomyces cerevisiae</i> ", Biochimica et Biophysica Acta, (2000), Vol.1463, No.2, pages 477 to 482	1-31
Y	JP 2003-164295 A (Toyota Motor Corp.), 10 June, 2003 (10.06.03), Claims; examples; cited in the present application & WO 2003/027280 A1 & JP 2003-164294 A & EP 1437405 A	1-31